

Deborah Deitsch-Perez  
 State Bar No. 24036072  
 Michael P. Aigen  
 State Bar No. 24012196  
 STINSON LLP  
 3102 Oak Lawn Avenue, Suite 777  
 Dallas, Texas 75219  
 (214) 560-2201 telephone  
 (214) 560-2203 facsimile

**ATTORNEYS FOR JAMES DONDERO AND  
 NANCY DONDERO**

Douglas S. Draper (La. Bar No. 5073)  
 Leslie A. Collins (La. Bar No. 14891)  
 Greta M. Brouphy (La. Bar No. 26216)  
 HELLER, DRAPER & HORN, L.L.C.  
 650 Poydras Street, Suite 2500  
 New Orleans, LA 70130  
 (504) 299-3300 telephone  
 (504) 299-3399 facsimile

**ATTORNEYS FOR THE DUGABOY INVESTMENT  
 TRUST**

John Y. Bonds, III  
 State Bar No. 02589100  
 Clay M. Taylor  
 State Bar No. 24033261  
 Bryan C. Assink  
 State Bar No. 24089009  
 BONDS ELLIS EPPICH SCHAFER JONES LLP  
 420 Throckmorton Street, Suite 1000  
 Fort Worth, Texas 76102  
 (817) 405-6900 telephone  
 (817) 405-6902 facsimile

**ATTORNEYS FOR JAMES DONDERO**

Daniel P. Elms  
 State Bar No. 24002049  
 GREENBERG TRAURIG, LLP  
 2200 Ross Avenue, Suite 5200  
 Dallas, Texas 75201  
 (214) 665-3600 telephone  
 (214) 665-3601 facsimile

**ATTORNEYS FOR NANCY DONDERO**

**IN THE UNITED STATES BANKRUPTCY COURT  
 FOR THE NORTHERN DISTRICT OF TEXAS  
 DALLAS DIVISION**

<b>In re:</b>	§	<b>Case No. 19-34054</b>
<b>HIGHLAND CAPITAL MANAGEMENT, L.P.</b>	§	<b>Chapter 11</b>
<b>Debtor.</b>	§	
	§	
<b>HIGHLAND CAPITAL MANAGEMENT, L.P.,</b>	§	
<b>Plaintiff.</b>	§	
v.	§	<b>Adversary No. 21-03003-sgj</b>
<b>JAMES D. DONDERO, NANCY DONDERO,    AND THE DUGABOY INVESTMENT TRUST,</b>	§	
<b>Defendants.</b>	§	

**Exhibit  
 5**

**APPENDIX IN SUPPORT OF DEFENDANTS'  
MOTION TO COMPEL ARBITRATION AND STAY LITIGATION**

Defendants James Dondero, Nancy Dondero and The Dugaboy Investment Trust file this Appendix in Support of their Motion to Compel Arbitration and Stay Litigation and request the Court take judicial notice of the documents contained herein.

<b>Exhibit</b>	<b>Document</b>	<b>Appendix Page(s)</b>
A	Declaration of Michael P. Aigen in Support of Motion to Compel Arbitration and Stay Litigation, dated September 1, 2021	App. 1-3
1	Fourth Amended and Restated Agreement of Limited Partnership of Highland Capital Management, L.P.	App. 4-40
2	Excerpts from the Transcript of the Remote Deposition of James Dondero on May 28, 2021, Adversary Proceeding No. 21-3003	App. 41-54
3	Acceptance of Appointment of Family Trustee, executed by Nancy Marie Dondero on October 13, 2015	App. 55-60
4	Trust Agreement Between Dana Scott Breault, Settlor and James D. Dondero and Commonwealth Trust Company, Trustees, The Dugaboy Investment, dated November 15, 2010	App. 61-97

Dated: September 1, 2021

Respectfully submitted,

/s/Deborah Deitsch-Perez \_\_\_\_\_

Deborah Deitsch-Perez  
State Bar No. 24036072  
Michael P. Aigen  
State Bar No. 24012196  
STINSON LLP  
3102 Oak Lawn Avenue, Suite 777  
Dallas, Texas 75219  
(214) 560-2201 telephone  
(214) 560-2203 facsimile  
Email: deborah.deitschperez@stinson.com  
Email: michael.aigen@stinson.com

**ATTORNEYS FOR DEFENDANTS JAMES DONDERO  
AND NANCY DONDERO**

John Y. Bonds, III  
State Bar No. 02589100  
Clay M. Taylor  
State Bar No. 24033261  
Bryan C. Assink  
State Bar No. 24089009  
BONDS ELLIS EPPICH SCHAFER JONES LLP  
420 Throckmorton Street, Suite 1000  
Fort Worth, Texas 76102  
(817) 405-6900 telephone  
(817) 405-6902 facsimile

**ATTORNEYS FOR JAMES DONDERO**

Daniel P. Elms  
State Bar No. 24002049  
GREENBERG TRAURIG, LLP  
2200 Ross Avenue, Suite 5200  
Dallas, Texas 75201  
(214) 665-3600 telephone  
(214) 665-3601 facsimile  
Email: elmsd@gtlaw.com

**ATTORNEYS FOR NANCY DONDERO**

Douglas S. Draper (La. Bar No. 5073)  
Leslie A. Collins (La. Bar No. 14891)  
Greta M. Brouphy (La. Bar No. 26216)  
HELLER, DRAPER & HORN, L.L.C.  
650 Poydras Street, Suite 2500  
New Orleans, LA 70130  
(504) 299-3300 telephone  
(504) 299-3399 facsimile  
Email: [ddraper@hellerdraper.com](mailto:ddraper@hellerdraper.com)  
Email: [lcollins@hellerdraper.com](mailto:lcollins@hellerdraper.com)  
Email: [grouphy@hellerdraper.com](mailto:grouphy@hellerdraper.com)

**ATTORNEYS FOR THE DUGABOY INVESTMENT TRUST**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on September 1, 2021, a true and correct copy of this document was served via the Court's CM/ECF system to the parties that are registered or otherwise entitled to receive electronic notices in this case.

/s/Deborah Deitsch-Perez  
Deborah Deitsch-Perez